

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LEE *et al.*

Application No.: 10/521,313

§ 371 Filing Date: January 14, 2005

For: **HER-2 NEU DNA VACCINE HAVING
ANTI-CANCER ACTIVITY**

Confirmation No.: 9295

Art Unit: 1633

Examiner: Hill, Kevin Kai

Atty. Docket: 2298.0080002/EJH/BNC

Statement of Substance of Interview

Attn: Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Interview Summary mailed March 6, 2009, Applicants submit the following Statement of the Substance of the Interview in accordance with MPEP § 713.04. Applicants thank Examiners Kevin K. Hill and Janice Li for their time in participating in a telephone interview on March 4, 2009, to discuss the outstanding office action with the undersigned attorney. During the interview, Applicants and the Examiners discussed the 35 U.S.C. 112, 1st paragraph and 35 U.S.C. 103 rejections.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.

Attorney for Applicants

Registration No. 42,613

Date:

April 6, 2009

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